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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,458	01/15/2004	Michael Vlasov	0120128	5874

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EXAMINER

BRINEY III, WALTER F

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/758,458	Applicant(s) VLASOV ET AL.	
	Examiner Walter F. Briney III	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 15-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 15-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. **Claims 1-12 and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hershbarger (US Patent Application Publication 2004/0239487) in view of Dong et al. (US Patent Application Publication 2003/0215020).**

Claim 1 is limited to *an isolation barrier coupled between a system side device and a line side device*. Apropos the rejection of claim 1 in the Non-Final Office Action filed 18 October 2005 it was shown that Hershbarger in view of Dong makes obvious all limitations of the claim. It is respectfully submitted that the instant amendments to claim 1 have not substantially modified the logic behind the previous rejection. In particular, claim 1 was amended to more specifically state that the line side device modulated an unmodulated clock signal "by varying an impedance of said controlled impedance module." As set forth previously, the transistor controlled by signal line RXD in figure 10 corresponds, at least in part, to the "controlled impedance module" recited. This is the means by which a receive signal is transmitted across isolation barrier 106. In operation, Hershbarger discloses transmitting power, signals and a clock across the barrier. It is these signals that are modulated by the controlled transistor. See Abstract and paragraphs 42, 45, 73 and 74.

Claims 2-12 and 15-20 are all rejected for the reasons set forth in the Non-Final Office Action filed 18 October 2005 and for the reasons set forth above.

Response to Arguments

Applicant's arguments filed 03 February 2006 have been fully considered but they are not persuasive.

With respect to claims 1-12 and 15-20, the applicant alleges on page 8, line 17, through page 10, line 2, that Hershberger fails to teach, disclose or suggest various aspects of the claimed invention, to which the examiner respectfully disagrees. First, the remarks by the applicant appear to be mere allegation. However, the examiner appreciates the difficulty in interpreting the Hershberger reference as information relevant to the invention is littered throughout.

With respect to the applicant's allegation on page 8, line 17, through page 9, line 6, the examiner fails to recognize any coherence between the cited claim language and the cited portions of Hershberger.

With respect to the applicant's allegation on page 9, lines 7-12, it is respectfully submitted that Hershberger does perform impedance modulation, which results in amplitude modulation of voltage and current sourced across the isolation barrier. See Abstract. Hershberger also discloses that one type of signal sourced across the isolation barrier is a clock signal. See paragraphs 42 and 45.

With respect to the applicant's allegation on page 9, line 12, through page 10, line 2, it is respectfully submitted that Hershberger does indeed fail to teach, suggest or

suggest "a system side device configured to generate an amplitude modulated clock signal" and essentially fails to provide motivation to do so. Yet, the examiner already conceded this point in the previous Non-Final Office Action filed 18 October 2005.

With further respect to claims 1-12 and 15-20, the applicant alleges on page 10, line 3, through page 11, line 15, that Dong fails to teach, disclose or suggest various aspects of the claimed invention, to which the examiner respectfully disagrees.

With respect to the allegations on page 10, line 3, through page 11, line 2, it is respectfully submitted that these arguments are moot as Hershberger anticipates the recited claim limitations as shown above and because Dong has not been relied upon to teach said recited claim limitations.

With respect to the allegations on page 11, lines 3-15, it is respectfully submitted that evidence for replacing a pulse transformer with a high frequency transformer is established in Dong, paragraphs 11-14. Whether or not such a change results in the references being "substantially altered" is immaterial as it appears to be based merely on opinion and because there is motivation in Dong to do so. Therefore, as all of the applicant's arguments have been shown to be either moot or unpersuasive the rejections of claims 1-12 and 15-20 are maintained.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Walter F. Briney III whose telephone number is 571-272-7513. The examiner can normally be reached on M-F 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2615

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WFB



SINH TRAN
SUPERVISORY PATENT EXAMINER